IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Criminal Misc. Application No. 376 OF 2004

1. Sanjeev Arora
2. Rajeev Arora
3. Praveen Arora All S/o Late Pyare Lal
   R/o Rajendra Nagar
   P.S. Gang Nahar
   Tehsil Roorkee
   District Haridwar ... Applicants

Versus

1. State of Uttaranchal through its
   Secretary Home, Dehradun
2. Sri Guman Singh Rodhan
   S/o Sri Amar Singh
   R/o 480 Rajendra Nagar Roorkee
   P.S. Ganhahar
   District Haridwar ... Opposite Parties

Sri Sanjeev Singh and Siddartha Sah learned counsel for the applicants
Sri Rajendra Singh learned counsel for the opposite party No. 2
Sri G.S. Sindhu learned counsel for the State

Hon'ble B.C. Kandpal, J.

This is the criminal misc. application under Section 482 Cr.P.C. filed by the petitioners for quashing the proceedings in Criminal Complaint Case No. 1339 of 2003 Guman Singh Vs. Sanjeev Singh & others under Sections 323, 504, 506 and 452 I.P.C. pending in the court of Special Judge Magistrate, Roorkee, Haridwar.

Heard learned counsels for the petitioners, learned counsel for the opposite party as well as learned A.G.A. and perused the record.

The record shows that the opposite party No. 2 filed a complaint against the petitioners before the court below who was pleased to summon the petitioners vide order 29.10.2003.

Against the aforesaid summoning order, the petitioners filed the objections which was dismissed vide order dated 21.02.2004.

The petitioners feeling aggrieved against the aforesaid order filed the revision which was also dismissed vide judgment and order dated 03.07.2004 pertaining to the petitioners.

Learned counsel for the petitioners has submitted that the learned Magistrate has not recorded specific reason as to what made him of the view that the case is made out against the applicant under Sections 323, 504, 506 and 452 I.P.C.

I do not find any forces in this argument. No meticulous consideration of evidence is required at the stage of passing the summoning order. The proceedings of the court below cannot be disturbed on this count alone.

I do not find any miscarriage of justice and abuse of process of court. I do not find any force in this petition under Section 482 Cr.P.C. and the same is liable to be dismissed.

Accordingly, the petition is dismissed.

(B.C. Kandpal, J.)

07.04.2005
ASWAL